

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
Case No.: 3:06-CV-00189**

WARNER BROS. RECORDS INC., a	)
Delaware corporation; BMG MUSIC, a New	)
York general partnership; CAPITOL	)
RECORDS, INC., a Delaware corporation;	)
SONY BMG MUSIC ENTERTAINMENT, a	)
Delaware general partnership; UMG	)
RECORDINGS, INC., a Delaware corporation;	)
INTERSCOPE RECORDS, a California general	)
partnership; and ELEKTRA	)
ENTERTAINMENT GROUP INC., a Delaware	)
corporation,	)
	)
Plaintiffs,	)
	)
v.	)
	)
TOYA BARNES,	)
	)
Defendant.	)

**DEFAULT JUDGMENT AND PERMANENT INJUNCTION**

Based upon Plaintiffs' Motion For Default Judgment, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the nine sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Seven Hundred Fifty Dollars (\$6,750.00).
2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).

3. Defendant further shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Jungle Love," on album "Ice Cream Castle," by artist "The Time" (SR# 55-021);
- "Get It Up," on album "The Time," by artist "The Time" (SR# 28-936);
- "Lately," on album "Tyrese," by artist "Tyrese" (SR# 237-788);
- "Atomic Dog," on album "Computer Games," by artist "George Clinton" (SR# 43-549);
- "Dirty Diana," on album "Bad," by artist "Michael Jackson" (SR# 84-256);
- "My First Love," on album "My Thoughts," by artist "Avant" (SR# 281-220);
- "Whip Appeal," on album "Tender Lover," by artist "Babyface" (SR# 106-822);
- "Who's That Girl?," on album "Scorpion," by artist "Eve" (SR# 293-364);
- "Fire It Up," on album "When Disaster Strikes," by artist "Busta Rhymes" (SR# 258-724);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has

downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATE:

4 June 07

By:

Graham C. Miller

United States District Judge

SENIOR